

104TH CONGRESS
2D SESSION

H. R. 4264

To amend title XVIII of the Social Security Act to improve Medicare treatment and education for beneficiaries with diabetes by providing coverage of diabetes outpatient self-management training services and uniform coverage of blood-testing strips for individuals with diabetes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 1996

Mr. NETHERCUTT (for himself, Mr. WELDON of Pennsylvania, Mr. GINGRICH, Mr. WATTS of Oklahoma, Mr. BONILLA, and Mr. BILIRAKIS) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to improve Medicare treatment and education for beneficiaries with diabetes by providing coverage of diabetes outpatient self-management training services and uniform coverage of blood-testing strips for individuals with diabetes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Medicare Diabetes
3 Education and Treatment Amendments of 1996”.

4 **SEC. 2. MEDICARE COVERAGE OF DIABETES OUTPATIENT**
5 **SELF-MANAGEMENT TRAINING SERVICES.**

6 (a) IN GENERAL.—Section 1861(s)(2) of the Social
7 Security Act (42 U.S.C. 1395x(s)(2)) is amended—

8 (1) by striking “and” at the end of subpara-
9 graphs (M) and (O), and

10 (2) by inserting after subparagraph (O) the fol-
11 lowing new subparagraph:

12 “(R) diabetes outpatient self-management
13 training services (as defined in subsection (oo));
14 and”.

15 (b) DEFINITION.—Section 1861 of such Act (42
16 U.S.C. 1395x) is amended by adding at the end the follow-
17 ing new subsection:

18 “Diabetes Outpatient Self-management Training Services

19 “(oo)(1) The term ‘diabetes outpatient self-manage-
20 ment training services’ means educational and training
21 services furnished to an individual with diabetes by or
22 under arrangements with a certified provider (as described
23 in paragraph (2)(A)) in an outpatient setting by an indi-
24 vidual or entity who meets the quality standards described
25 in paragraph (2)(B), but only if the physician who is man-
26 aging the individual’s diabetic condition certifies that such

1 services are needed under a comprehensive plan of care
2 related to the individual's diabetic condition to provide the
3 individual with necessary skills and knowledge (including
4 skills related to the self-administration of injectable drugs)
5 to participate in the management of the individual's condi-
6 tion.

7 “(2) In paragraph (1)—

8 “(A) a ‘certified provider’ is an individual or
9 entity that, in addition to providing diabetes out-
10 patient self-management training services, provides
11 other items or services for which payment may be
12 made under this title; and

13 “(B) an individual or entity meets the quality
14 standards described in this paragraph if the individ-
15 ual or entity meets quality standards established by
16 the Secretary, except that the individual or entity
17 shall be deemed to have met such standards if the
18 individual or entity meets applicable standards origi-
19 nally established by the National Diabetes Advisory
20 Board and subsequently revised by organizations
21 who participated in the establishment of standards
22 by such Board, or is recognized by the American Di-
23 abetes Association as meeting standards for furnish-
24 ing the services.”.

1 (c) CONSULTATION WITH ORGANIZATIONS IN ESTAB-
 2 LISHING PAYMENT AMOUNTS FOR SERVICES PROVIDED
 3 BY PHYSICIANS.—In establishing payment amounts under
 4 section 1848(a) of the Social Security Act for physicians’
 5 services consisting of diabetes outpatient self-management
 6 training services, the Secretary of Health and Human
 7 Services shall consult with appropriate organizations, in-
 8 cluding the American Diabetes Association, in determining
 9 the relative value for such services under section
 10 1848(c)(2) of such Act.

11 (d) EFFECTIVE DATE.—The amendments made by
 12 this section shall apply to services furnished on or after
 13 January 1, 1997.

14 **SEC. 3. MEDICARE COVERAGE OF BLOOD-TESTING STRIPS**
 15 **FOR INDIVIDUALS WITH DIABETES.**

16 (a) INCLUDING STRIPS AS DURABLE MEDICAL
 17 EQUIPMENT.—Section 1861(n) of the Social Security Act
 18 (42 U.S.C. 1395x(n)) is amended by striking the semi-
 19 colon in the first sentence and inserting the following: “,
 20 and includes blood-testing strips for individuals with dia-
 21 betes without regard to whether the individual has Type
 22 I or Type II diabetes (as determined under standards es-
 23 tablished by the Secretary in consultation with the Amer-
 24 ican Diabetes Association);”.

1 (b) PAYMENT FOR STRIPS BASED ON METHODOLOGY
2 FOR INEXPENSIVE AND ROUTINELY PURCHASED EQUIP-
3 MENT.—Section 1834(a)(2)(A) of such Act (42 U.S.C.
4 1395m(a)(2)(A)) is amended—

5 (1) by striking “or” at the end of clause (ii);

6 (2) by adding “or” at the end of clause (iii);

7 and

8 (3) by inserting after clause (iii) the following

9 new clause:

10 “(iv) which is a blood-testing strip for

11 an individual with diabetes,”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section shall apply to blood-testing strips furnished
14 on or after July 1, 1997.

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